

STATE OF OREGON
COUNTY OF WASHINGTON

PERMIT TO STORE THE PUBLIC WATERS

THIS PERMIT IS HEREBY ISSUED TO

WILLIAM GREGORY
21975 SW HILLSBORO H 219
NEWBERG, OREGON 97132

(503) 526-5607

The specific limits for the use are listed below along with conditions of use.

APPLICATION FILE NUMBER: S-73834

SOURCE OF WATER: AN UNNAMED RESERVOIR, CONSTRUCTED UNDER APPLICATION R-73833, PERMIT R-11658, TRIBUTARY OF HEATON CREEK

PURPOSE OR USE: AGRICULTURAL USES ON 75.4 ACRES OF CHERRY ORCHARD

AMOUNT/VOLUME ALLOWED FOR STORAGE: 2.4 ACRE-FEET STORED WATER ONLY

PERIOD OF ALLOWED USE: YEAR ROUND

DATE OF PRIORITY: JANUARY 3, 1994

POINT OF DIVERSION LOCATION: NE 1/4 SE 1/4 SECTION 29, TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.; 1870 FEET NORTH AND 1060 FEET WEST FROM THE SE CORNER SECTION 29

THE PLACE OF USE IS LOCATED AS FOLLOWS:

NW 1/4 16.6 ACRES
SECTION 28
NE 1/4 22.4 ACRES
SW 1/4 6.2 ACRES
SE 1/4 30.2 ACRES
SECTION 29
TOWNSHIP 2 SOUTH, RANGE 2 WEST, W.M.

Measurement recording and reporting conditions:

- A. The Director may require the permittee to install a meter or other suitable measuring device as approved by the Director. If the Director notifies the permittee to install a meter or other measuring device, the permittee shall install such device within the period stated in the notice. Such installation period shall not be less than 90 days unless special circumstances warrant a shorter installation period. Once installed, the permittee shall maintain the meter or measuring device in good working order and shall allow the watermaster access to the meter or measuring device. The Director may provide an opportunity for the permittee to submit alternative measuring procedures for review and approval.
- B. The Director may require the permittee to keep and maintain a record of the amount (volume) of water used and may require the permittee to report water use on a periodic schedule as established by the Director. In addition, the Director may require the permittee to report general water use information, the periods of water use and the place and nature of use of water under the permit. The Director may provide an opportunity for the permittee to submit alternative reporting procedures for review and approval.

This permit does not provide for the appropriation of water for maintaining the water level of the pond or for maintaining a suitable fresh water condition.

STANDARD CONDITIONS

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water allowed herein may be made only at times when sufficient water is available to satisfy all prior rights, including prior rights for maintaining instream flows.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

Actual construction work shall begin within one year from permit issuance and shall be completed on or before October 1, 1998. Complete application of the water to the use shall be made on or before October 1, 1999.

Issued February 23, 1996



for Water Resources Department
Martha O. Pagel
Director

Application S-73834
Basin 02

Water Resources Department
Volume 22 Heaton Creek & Misc.
MGMT.CODE 6EW

PERMIT 51972
District 18